

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

NATIONAL ASSOCIATION FOR GUN	)	
RIGHTS, INC., ET AL.,	)	
	)	Case No. 4:23-cv-00830-O
Plaintiffs,	)	
v.	)	
	)	
MERRICK GARLAND,	)	
IN HIS OFFICIAL CAPACITY AS	)	
ATTORNEY GENERAL	)	
OF THE UNITED STATES, ET AL,	)	
	)	
Defendants.	)	
_____	)	

**MOTION FOR TEMPORARY RESTRAINING ORDER**

Pursuant to Federal Rule of Civil Procedure 65(b), Plaintiffs request a temporary restraining order in this case to preserve the status quo pending a hearing on the merits of Plaintiffs' forthcoming Motion for Preliminary Injunction by enjoining Defendants from initiating criminal or civil enforcement actions against Plaintiffs Patrick Carey, Travis Speegle, and James Joseph Ross Wheeler based on their current or prior possession of one or more forced reset triggers, enjoining Defendants from seizing, destroying, or taking possession of any forced reset triggers owned or possessed by Plaintiffs Carey, Speegle, and/or Wheeler, and enjoining from requesting that Plaintiffs Carey, Speegle, and/or Wheeler voluntarily surrender any forced reset triggers in their possession until such time as this Court rules on Plaintiffs' Motion for Preliminary Injunction.

Pursuant to Federal Rule of Civil Procedure 65 and Local Rule 7.1, Plaintiffs have provided notice to counsel for Defendants and conferred regarding this Motion. On August 11, 2023, Plaintiff's Counsel Benjamin Sley spoke via telephone with Mr. Michael Clendenen with

the U.S. Department of Justice. Plaintiffs understand that Mr. Clendenen represents Defendants in this matter. Plaintiffs asked whether Defendants would forgo enforcement against the three individual Plaintiffs until such time as the Court is able to hear Plaintiffs' forthcoming Motion for Preliminary Injunction. Defendants have refused to disavow enforcement against the three individual Plaintiffs in this case and indicated that they oppose this Motion.

Date: August 14, 2023

Respectfully submitted,

/s/ Whitney A. Davis

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ATTORNEY FOR PLAINTIFF

NATIONAL ASSOCIATION OF GUN

RIGHTS, INC.

*\*Application for Admission  
pro hac vice pending*

**CERTIFICATE OF CONFERENCE**

This Motion is opposed. Pursuant to Local Rule 7.1, a conference was held by telephone on August 11, 2023 between Mr. Benajmin Sley, counsel for Plaintiffs, and Mr. Michael Clendenen, counsel for Defendants. The Parties were unable to reach agreement because Defendants were unwilling to agree to refrain from pursuing civil and/or criminal proceedings against the individual Plaintiffs, Mr. Carey, Mr. Wheeler, and Mr. Speegle, relating to their current or past ownership or possession of forced reset triggers until such time as the Court has resolved Plaintiffs' forthcoming Motion for Preliminary Injunction.

Date: August 14, 2023

Respectfully submitted,

/s/ Whitney A. Davis

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